

Attorney Docket No.: **UT-0048**  
Inventors: **Rao et al.**  
Serial No.: **10/502,224**  
Filing Date: **May 17, 2005**  
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**REMARKS**

Claims 1-10 are pending in the instant application.

Claims 5-10 have been withdrawn from consideration by the Examiner. However, it has been acknowledged by the Examiner that upon allowance of the instant claimed precursor cells, claims 5-10 will be subject to rejoinder with claim 1-4. Accordingly, Applicants reserve the right to rejoin claims 5-10 upon allowance of the claimed precursor cells.

Claims 1-4 remain rejected.

The amendment filed by Applicants on February 2, 2008 was suggested to introduce new matter because Example 3 of the instant specification defines conditions for astrocyte differentiation as culturing for 5 days in the presence of 10% fetal calf serum. The Examiner suggests that the specification fails to disclose the production of astrocytes under oligodifferentiating conditions.

Applicants respectfully direct the Examiner to page 17, lines 10-14 wherein the oligodendrocyte differentiating conditions set forth in claim 1 are specifically taught. Thus, the amendment of claim 1 clearly does not constitute new matter.

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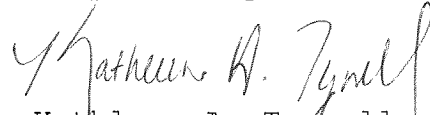
Further, it is respectfully pointed out that the amendment was made to clarify in the claims that unlike other known cell populations, cells of the instant invention do not differentiate into oligodendrocytes even under oligodendrocyte differentiating conditions. Instead, as stated at page 8 lines 24-30, "[t]his population of astrocyte restricted cells . . . differs from stem and progenitor populations in its expression of CD44 and its ability to differentiate into astrocytes under conditions in which other populations differentiate into neurons or oligodendrocytes." In an earnest effort to further clarify the instant invention, Applicants have further amended the claim 1 in accordance with teachings at page 8 to recite the cells generating astrocytes under conditions in which other populations differentiate into neurons or oligodendrocytes. The claims as amended are clearly supported by the written description of the specification and do not constitute new matter. Further, these claims are enabled by the instant specification and set forth an invention novel and unobvious over the prior art. Accordingly, favorable reconsideration and subsequent allowance of the pending claims is earnestly solicited.

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**Conclusion**

Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Kathleen A. Tyrrell", is written over the printed name.

Kathleen A. Tyrrell  
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Date: **March 28, 2008**

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